

**MINUTES OF THE CITY COMMISSION MEETING
MONDAY, FEBRUARY 25, 2013**

The City of Leesburg Commission held a regular meeting Monday, February 25, 2013, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Elise Dennison
Commissioner Jay Hurley
Commissioner John Christian
Commissioner Bill Polk
Mayor David Knowles

Also present were Interim City Manager (ICM) Ray Sharp, City Clerk (CC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Andi Purvis, the news media, and others.

Commissioner Bill Polk gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

PROCLAMATIONS: None

PRESENTATIONS:

Service Awards:

Finance Director Bill Spinelli recognized Marie Carter for ten years in Finance (Accounting);

Fire Chief Kevin Bowman recognized Jamie Malloy for ten years in the Fire Department;

Fire Chief Kevin Bowman recognized Jeff Moore for ten years in the Fire Department;

Information Technology Director Stan Carter recognized Chris Orpurt for ten years in the (IT) Information Technology Department.

City Clerk Betty Richardson presented the Certificate of Completion from the Institute for Elected Municipal Officials to Commissioner Elise Dennison.

**HEARD UPDATE ON THE LEESBURG HIGH SCHOOL POWER ACADEMY
BY PRINCIPAL BILL MILLER AND INSTRUCTOR DAN KEELING**

Instructor Dan Keeling stated one of his students is present, Alexis, who helped in putting together the power point presentation.. Mr. Keeling said he and his students are in the first year of the four year program and have three areas of implementation; the curriculum development, the lab and training facilities, and the student buy in for participation to actively pursue this career field. There are currently two tracks of study; the energy technician program and a power distribution technology program. The training facility is comprised of a computer lab, a pole yard with several poles set up with transformers and components set at ground level and the actual climbing pole yard which the students and Assistant Principal are waiting to climb. Mr. Keeling stated their program has “state of the art trainers” with twelve individual modules where the students rotate to learn the different areas of the curriculum. Mr. Keeling stated the Power

Academy, in its inaugural year, has around fifty students and are very appreciative of the help from the City, the Electric Department with setting up both pole yards, and the art work and flyers designed by Robert Sargent. Mr. Keeling said it is the Power Academy's goal to have everything in place by the end of this school year so as they are planning a grand opening with the start of the new school year. Mr. Keeling encouraged everyone one to come by and tour the facilities and introduced Alexis to answer questions.

Commissioner Polk asked if students are on block scheduling. Alexis said they have seven periods per day and spend about 45 to 55 minutes in each class.

Commissioner Polk asked if it is one class per day for the power academy and if everyone is studying the same thing or on two different schedules. Alexis stated they are all studying the same thing.

Commissioner Christian stated his son is in the class and speaks highly of the program and Commissioner Christian thanked Mr. Keeling for all his efforts and motivation.

HEARD PRESENTATION RELATING TO PROPOSAL BY FLORIDA REGION OF USA VOLLEYBALL, INC. FOR SKI BEACH AREA

Assistant Director of Parks (ADP) Jennifer Magavero introduced Steve Bishop, Executive Director for the Florida Region USA Volleyball, and stated they would like to propose a partnership with the City of Leesburg to build a volleyball complex at Ski Beach.

Mr. Bishop thanked the Commission for the opportunity to speak and stated USA Volleyball is excited to bring this plan to the Commission and the City. USA Volleyball is one of forty regional volleyball associations under the umbrella of the national governing body for the sport by the US Olympic committee and the Federation of International Volleyball. Tonight's focus will be on the outdoor beach program which is relevant to the site identified in the plan brought to the Commission. The logo "dig the beach" is the Florida tour logo and is the largest beach volleyball tour in the United States having twenty-seven stops across Florida last year. Mr. Bishop stated their junior beach boot camp is offered to juniors to introduce them to the sport and get them started early in the season and also offered is a beach HP all-stars program for junior athletes who compete with elite competitions. Mr. Bishop stated sand volleyball is now a scholarship sport for ladies graduating from high school with Florida leading the opportunities. The premier event to be anchored in Leesburg will be the Florida Beach HP Championship, an annual all star event. The proposed site plan is for Ski Beach with its three existing courts and proposal of an additional seventeen courts along with restroom and shower facilities and existing parking is already available. Mr. Bishop stated basic statistics from an economic development stand point could bring the City of Leesburg roughly a total spending of \$150,000 to \$160,000 based on conservative projections of what USA volleyball thinks participation will be in the first twelve months.

Commissioner Hurley asked how many weekend tournaments will be held and if the poles and nets are permanent or can be taken down.

Mr. Bishop stated on average, there are two weekend events a year and one medium sized event once a month between the months of March and August with the rest of the events much smaller. Mr. Bishop stated the nets are there now and have been in place for some time. USA Volleyball actually works with the City when tournaments are run and takes a

percentage of the proceeds to replace the nets and Mr. Bishop stated he has personally taken his tractor out to level the sand. USA Volleyball wants to be responsible users of the site and as a partner with the City. Mr. Bishop stated it is important to understand this is not a cost proposal to the City; USA Volleyball needs the permission of the City Commission to move forward with its Parks and Recreation Department to submit an application to Lake County. Lake County has approximately 2.4 million dollars available which it is looking to spend in three different areas, 1) eco-tourism; 2) parks and recreation; and 3) destination events and with the City having two of these categories, it may allow for some full funding of this site and no cash would be required.

ADP Magavero stated the grant is a fifty-fifty match and the City's part is the value of the land.

Commissioner Polk asked how large the restroom or showers will be, if one for men and women, and if anticipating this grant money will cover the construction of the courts and restrooms along with the sewer, water lines, and electricity etc.

Mr. Bishop answered yes to all and stated there will be four stalls in each restroom.

Commissioner Polk asked who will be responsible for the maintenance of these restrooms.

Mr. Bishop stated it will be a partnership between USA Volleyball and the City's Parks and Recreation Department with USA committed to taking care of the lines and nets during the year as part of its operational budget. USA is also proposing to allocate fifteen percent of the gross revenue to the City based on the projections shown earlier which would be in the range of \$7,000 to \$7,500 in the first twelve months.

Commissioner Polk asked if the restrooms will be open only during the volleyball tournaments.

ADP Magavero stated the bathrooms will be open to the public year round from 8:00 a.m. to 5:00 p.m.

Commissioner Polk asked who decides where the bathrooms will be located on the site plan. Mr. Bishop stated this is a proposal site plan and the spot chosen is in the middle of the venue with electricity directly adjacent, but it can be moved.

Commissioner Polk asked Mr. Bishop for clarification if the tournaments will be two weekends a year or month. Mr. Bishop stated in this proposed plan, they are running two times a month during the peak season.

Commissioner Polk asked if it is two weekends per year will the poles be permanent all year or is this something that can be install for each tournaments and then removed.

Mr. Bishop stated for correction, the tournaments are held two times per month not two times a year with only one being a medium sized event and the others will be perhaps local events like for example a group goes to play on the weekend. These tournaments will be doubles, so one hundred teams a day with five teams on the court would be four on each side.

Commissioner Polk stated his objection to this is Leesburg has a limited amount of free space; it has the Sleepy Hollow complex which had original plans for baseball, softball, tennis and volleyball courts. Commissioner Polk asked if it would be feasible to move there since it already has bathrooms and a concession stand. Mr. Bishop stated he would not object, but the site was not mentioned until now. The reason for the Ski Beach site is it is attractive, on the water front and sport beach volleyball is associated with having water front at all venues.

Commissioner Polk stated if the City moved this to Sleepy Hollow, it could help keep the complex open as Leesburg has very little open area for people to browse, walk dogs, fly kites, and fish, or drive golf balls, which is what historically how Ski Beach has been used. Commissioner Polk stated he feels this is one of the premier spots in Leesburg for people to come to which is probably why it was chosen as the spot for a volleyball complex but there is no other free land available in Leesburg right now. On the 4th of July the City parks hundreds of cars for the fireworks and people come from all over the county to watch along with vendors on that particular day. The prior city manager talked about putting a beach on one of the islands so the City could open the boat basin for water skiing, but if a tournament is going on and the lot is full of cars then there is really no room for anyone else. Commissioner Polk stated he thinks the concept of a volleyball complex is a wonderful thing, but Ski Beach is not the correct spot.

Mr. Bishop pointed out the total use is only forty-eight hours a month; two days, Saturday and Sunday, and this would still leave the park wide open for the rest of the week.

Mayor Knowles stated putting some of the courts on the islands North and West of Ski Beach may be a solution and people would have to cross a bridge to get to the courts, but this could work. Mr. Bishop stated it would depend on the size of the courts because errant volleyballs are not much fun to play with when wet.

Mayor Knowles stated he would like to see more traffic down there as it is an underutilized section of the City. July 4th is a big deal for Leesburg and if some courts were rearranged, put closer together, or in different locations it might not be quite as overpowering. Mr. Bishop stated they certainly could reduce the foot print if the Commission wants a consolidated site plan and they have held tournaments on July 4th on the existing courts.

Commissioner Hurley stated he really appreciates USA Volleyball and Mr. Bishop for bringing this idea to the City of Leesburg. The City is trying to generate a better quality of life for it families and this falls right in line with what it is looking for. Commissioner Hurley stated he agrees if Sleepy Hollow or the islands would work and would love to see an agreement reached. Mr. Bishop stated he would love for this to become the largest permanent sand volleyball complex in the entire State of Florida which would give Leesburg bragging rights. Mr. Bishop stated USA Volleyball wants to be a good partner with the City and would like to have the full assistance and approval of the Commission.

Commissioner Christian stated he also agrees with the Sleepy Hollow complex being the ideal location as it was built for these types of activities. Commissioner Christian said he has received many complaints from residents who were concerned about this proposal and if Sleepy Hollow would work he would give one hundred percent support, but with the residents' concerns, with the 4th of July celebrations, other activities and the limited

open space he cannot. Mr. Bishop asked if the concerns of the residents could be shared with him so he could an idea of what need to be worked on.

Commissioner Christian stated some of the concerns are the residents going out for activities with their children and taking the open space from the neighborhood. Commissioner Christian stated he goes out on the 4th of July, but does not live across the street and he does not think he would like two hundred cars parked there every other weekend.

Mr. Bishop stated he would be glad to meet with the residents and perhaps give a better scope of the project. The lake view will not be impaired as the nets are see through and they have no intentions of hanging banners or sponsor signs so it will just be the poles, nets and sand.

Commissioner Dennison stated there are people present and she would like to hear their questions or concerns.

PUBLIC COMMENTS:

Carolyn VanDyken stated she supports this idea and is tired of the City of Leesburg turning down this type of thing which would better our community and stated the property belongs to the City, not the residents with property facing the lake.

Paul Buchanan stated he does not like the idea of having volleyball courts to look at every day stating this piece of property is for all of Leesburg, not to be taken and turned over to one group. He agrees Sleepy Hollow with lights, bathrooms, and everything would be a better consideration.

Mark Micham stated he agrees with Commissioners Polk and Christian on Sleepy Hollow being the right place for this as it is not a used facility and the infrastructure is already in place. He is not objecting to the concept, just the location at Ski Beach.

Joyce Huey stated she thinks having the volleyball teams here is phenomenal, but Ski Beach is not the optimum location and questioned the parking, entry, and exit of the property as traffic is a major issue.

Commissioner Christian asked it staff had looked at the parking or if this is just in the conceptual stage. The 4th of July has been mentioned because the City owns the park, but will the City have to come up with some designated parking for handicapped, entryway and egress.

Community Development Senior Planner (CDSP) Dan Miller stated he has not reviewed handicap parking, and will be needed near the restrooms with proper signage. CDSP Miller stated he believes since this will not be used on a daily basis, the parking would not necessarily need to be paved or add bumper stops. CDSP Miller stated he did not know the specific numbers required based on the number of courts, however, during the site plan review process this would need to have the correct number of spaces or reduce the number of courts.

Dan Robuck, Sr. stated for an idea outside the box, the City owns land at Silver Lake where the dog park is located and this park could easily be moved further back giving lake front property.

Sylvia Barcus Killmeyer stated she has seen the park used for pickup football and baseball games, kites and model airplanes flying, mothers sitting in the sun with their babies, men practicing golf, couples walking holding hands, and so much more than just volleyball. Mrs. Killmeyer urged the Commission to vote against this proposal for the benefit of all the people in Leesburg.

David Ohnstad stated he does not want to look out at something permanent or as restrictive to a single use and agreed the Sleepy Hollow complex would be the obvious suggestion because of the current infrastructure and even suggested Silver Lake or PEAR Park.

Alisha Hoffman stated she is a volleyball player at Stetson University on their sand volleyball team and grew up in Leesburg playing on the courts almost every weekend. Ms. Hoffman stated there is plenty of room and thinks this is a really good opportunity to start bringing back the young crowd.

Mayor Knowles asked Mr. Bishop if a smaller foot print on Ski Beach, the islands, Dozier Circle or some other areas in Venetian Gardens would be feasible. Mr. Bishop stated he was not familiar with all the areas mentioned, but is willing to prepare a site plan and see how the courts would fit.

Mayor Knowles asked if it is agreeable to table this and see what other locations in the area might work. Mr. Bishop stated the time line to apply for the County grant money is March 18th so time is of the essence.

Commissioner Dennison asked Mr. Bishop if he could also look at the Silver Lake site as a strong possibility with its lake front property.

Commissioner Christian asked if using the Sleepy Hollow complex without a water front would decrease the number of participants and supporters. Mr. Bishop stated yes as volleyball players are a unique family group and they create relationships which is what beach volleyball is all about.

Commissioner Christian asked if there is enough time to look at alternative venues before the March 18 deadline and if there would still be enough value in the land to match the grant if an optional site is chosen. Commissioner Christian also asked if there is not enough value in the land, could the City use recreation impact fee funds for any new construction.

ADP Magavero asked if the Commission could give staff the approval to start the grant application process and bring back a potential site plan renovation as any other site would need to be studied for the City's portion match.

ICM Sharp stated staff would like to have tonight from the Commission is an indication of whether or not to go forward with the grant application process as the submission deadline is March 18th and the application process is time consuming.

Commissioner Polk asked if the City needs to check with the FAA or anyone about putting volleyball courts out in Silver Lake.

ICM Sharp stated there are a couple of options; the area described is actually in the clear zone for the runway and there are height limits as the City looked into this when the dog park was installed, but those pavilions did meet the requirements. There is also the option of the wooded area which perhaps could be used as well out of the direct clear zone approach, but not sure if there are any wetlands. ICM Sharp stated with regards to Sleepy Hollow, one of the things to keep in mind because of the complex design most all the space is used for ball fields, soccer fields and so forth, so some activities would be displaced for other field space.

Commissioner Polk stated at Silver Lake, there is the open freeway and woods which would be ideal for possible random parking with shade which would be good during the summer time. Commissioner Polk also asked how much of the lake frontage could be cleaned up for a better view of the lake because right now it is just over grown. ICM Sharp stated staff could do some limited clean up on the north side of the road.

Commissioner Polk stated he thinks Silver Lake is a wonderful site as there is no one to offend and people could bring their dogs to the volleyball games and walk them and play in the lake or do whatever they want.

Commissioner Hurley stated this is exactly the kind of stalemate the City has had for too long; if looking at the lake talk is boats and skiing and then talk about volleyball players in bathing suits and the City tells them to go play in a baseball complex. Commissioner Hurley stated he lives in the Sleepy Hollow area and there is only one road in and out so traffic does back up and he sees the lights and hears the kids scream and holler on the weekends and even last night had games until 11:00 p.m. The venue at Ski Beach is only four days out of the month, so residents can still use the open space. Commissioner Hurley stated no matter where the volleyball complex goes, the City is going to make someone unhappy and this is a park which will help with economic development. The City needs activity back in its parks which will draw back its youth and families. Commissioner Hurley stated he is tired of our youth going to other cities to do activities and now is the time for the next generation to have fun at Ski Beach and make this successful. Commissioner Hurley stated he wants Leesburg to be a premier city drawing the CNN helicopters and the Good Year Blimp flying over head.

Commissioner Dennison made a motion to allow the grant process to proceed due to time limitations and for alternative sites to be studied and Commissioner Polk seconded the motion.

Commissioner Polk stated he thinks Leesburg is now headed in the right direction, but voiced concerns about taking away so much free space to make a one item park for volleyball with two weekend tournaments a month would eliminate the people who use the park for passive recreation on the weekends.

Commissioner Christian asked for clarification on who is writing the grant application and if at the next commission meeting, the Commission will be given multiple site options to decide which will work best for the City.

ADP Magavero stated she will pursue the grant writing and getting the basic information and would also like to show an amended site plan with different configurations to scale showing how much parking would fit in the grassy area and then pursue the other sites as well.

Commissioner Christian asked if Mr. Bishop would be willing to meet with the residents between now and the next meeting to try and clear up some of their concerns. Mr. Bishop stated yes and suggested maybe ADP Magavero could help set up the public meetings.

Commissioner Polk stated the current courts are family oriented, but when twenty courts are installed it is beyond the family scope.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission granted City staff permission to proceed with the grant writing application process.

CONSENT AGENDA:

Item Pulled for Discussion

4.C.2 –Lone Oak Cemetery, Addition No. 5, plat approval.

Commissioner Christian moved to adopt the Consent Agenda except for 4.C.2 and Commissioner Hurley seconded the motion.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the Consent Agenda, as follows:

CITY COMMISSION MEETING MINUTES: Regular meeting held January 28, 2013

PURCHASING ITEMS: None

RESOLUTION 9159

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA SUPPORTING THE LEGISLATIVE ACTION AGENDA OF THE FLORIDA LEAGUE OF CITIES, INC.; AND PROVIDING AN EFFECTIVE DATE.

ADOPTED RESOLUTION 9160 ACCEPTING AND APPROVING A PLAT OF LONE OAK CEMETERY, ADDITION NO. 5

Commissioner Polk introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA ACCEPTING AND APPROVING A PLAT OF
LONE OAK CEMETERY, ADDITION NO. 5, A SUBDIVISION
WITHIN THE CITY OF LEESBURG, FLORIDA, GENERALLY
LOCATED EAST OF THOMAS AVE. AND SOUTH OF WEST MAIN
ST., LYING IN SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24
EAST; AND PROVIDING AND EFFECTIVE DATE.

Commissioner Polk moved to adopt the resolution and Commissioner Christian
seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk asked exactly where this property is located.

Interim Public Works Director (IPWD) DC Maudlin stated there is no change to the
boundary line of the cemetery itself. This is just plotting a location inside the current
boundary so it can be parceled out individually.

Commissioner Polk asked if this was just adding more plots. IPWD Maudlin stated there
is no expansion to the cemetery this is just dividing those plots within the current
boundaries.

Meredith Kirste, Cemetery board member and representative, stated this property is
located from the entrance off Thomas Road on the right just before the mausoleum. Ms.
Kirste stated this property is already located in the cemetery and they are just asking for
approximately 280 more plots.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the resolution.

OTHER ITEMS: None

**ADOPTED ORDINANCE 13-06 AMENDING THE FISCAL YEAR 2012-13
BUDGET FOR THE FIRST QUARTER**

City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA, AMENDING THE FISCAL YEAR 2012-13
BUDGET FOR THE GENERAL, DEBT SERVICE,
COMMUNICATIONS AND MAGNOLIA TOWNHOMES FUNDS FOR
THE FIRST QUARTER; AND PROVIDING AN EFFECTIVE DATE

Commissioner Christian moved to adopt the ordinance and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and the audience. There were no comments.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the ordinance.

ADOPTED ORDINANCE 13-07 AMENDING THE PUD ZONING FOR THE SALVATION ARMY TO EXTEND THE DEVELOPMENT PHASING REQUIREMENT FOR AN ADDITIONAL 36 MONTHS

City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE ZONING CONDITIONS FOR A CITY PUD (PLANNED UNIT DEVELOPMENT) OF APPROXIMATELY 10 ACRES GENERALLY LOCATED SOUTH OF SOUTH STREET AND WEST OF CABALLO ROAD, LYING IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (Salvation Army Worship and Community Center)

Commissioner Christian moved to adopt the ordinance and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk stated the property looks terrible and the paperwork received states under the comments section for Code Enforcement “no problems” and asked why this is if the property is highly overgrown. CDSP Miller stated as background information, this is the Salvation Army project on South Street which has plans for a 23,000 square foot worship center and a recreation facility on the 9.9 acres. The purpose tonight is to ask for an extension of the allowed time on this project.

Bob Blaise, Architect, stated they look forward to getting the project started now as they have had near eighteen months of fund raising. They look forward to getting started later this year, but one of the greater concerns was getting the project funded. Mr. Blaise stated they did receive the Commission’s comments on the status of the property and when they first acquired the property, many board members met out there with others and cleaned up one end of the property. Salvation Army has been so focused on the fund raising, they have not spent much time on the property. Mr. Blaise stated after viewing and walking the property again, they discovered it is being used as a dump and a squatter’s residence and they are now in the process of having the property cleaned up and a sub contractor has been hired to take care of this.

Commissioner Polk stated the original time granted was for thirty-six months and now an additional thirty-six months is being requested, but nothing has been done on this project.

Mr. Blaise stated the only reason this is back before the Commission is because the fund raising caused a delay, but they are now ready to get the projected started.

Commissioner Dennison asked Mr. Blaise if he is willing to put the start date in writing so the Commission does not have this back before them in another three years. Mr. Blaise stated he could not give an exact date as they are working on obtaining the permits, but said work will start prior to the end of this year.

Commissioner Christian thanked Mr. Blaise and the Salvation Army for their perseverance in fund raising and stated he feels building this facility on the west side of Leesburg will be a great benefit not just to Leesburg but also for Lake County. Commissioner Christian stated he does appreciate the work the Salvation Army does for the residents of Leesburg, especially those in hard times and as Commissioner Polk has said the City does not want something as minor as clean up to tarnish what has been accomplished.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the ordinance.

FIRST READING OF AN ORDINANCE AUTHORIZING TWO OPTIONAL TIME-OF-USE (TOU) ELECTRIC TARIFFS ENABLED BY THE AMI AND RELATED TECHNOLOGY INITIATIVES

Commissioner Christian introduced the ordinance to be read by title only. CC Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING §22 – 196 OF THE CODE OF ORDINANCES TO ADD SUBSECTION 13 ENTITLED RATE SCHEDULES TOU – R1 AND TOU – R2, RESIDENTIAL TIME OF USE SERVICE; SPECIFYING THE TERMS AND CONDITIONS OF THOSE RATE SCHEDULES AND THEIR AVAILABILITY TO ELECTRIC UTILITY CUSTOMERS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Knowles requested comments from the Commission and the audience. There were no comments.

APPROVAL OF THE BUDGET CALENDAR FOR FISCAL YEAR 2013-14

Mayor Knowles requested comments from the Commission and the audience. There were no comments.

Mayor Knowles asked the Commission for a consensus on the calendar provided and it was unanimously approved.

DENIED RESOLUTION TO SELECT AND ACCEPT THE BID FOR CITY OWNED PROPERTY

Commissioner Polk introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA, AUTHORIZING THE COMMISSION TO
SELECT ONE OF THE TWO BIDS AND ACCEPT THE BID FOR THE
CITY OWNED PROPERTY ADJACENT TO 1102 EAST LINE
STREET; AND PROVIDING AN EFFECTIVE DATE.

Two bids received from Laurencia C. Unanue, Trustee (\$12,000) and Fredrica Mack (\$12,250).

Commissioner Christian asked for guidance on this issue.

CA Morrison stated the Commission has to select one of the bids received and authorize staff to proceed. One, in the form of a contract would come back to the Commission for formal approval and execution and the other bid in form of a letter if selected the Commission would authorize staff to prepare the contract.

Commissioner Christian made a motion for the Commission to accept Fredrica Mack's bid of \$12,250 and for staff to come back to the Commission with a contract. No second to the motion was received.

Mayor Knowles requested comments from the Commission and the audience.

Dan Tatro stated he represents Laurencia C. Unanue, Trustee, and has a site plan prepared for a parking facility as there is an eminent domain proceeding and they will be losing two parking spaces. Mr. Tatro stated his client did submit a contract and needs the parking, about 7,000 square foot, and is prepared to follow all stipulations set by the City.

Commissioner Christian stated the only problem he has is putting a parking lot between two houses and he believes this is a big issue. Commissioner Christian stated a while back he spoke with Mrs. Mack and suggested she speak to the previous City Manager Jay Evans when the City had this property up for a tax deed sale as her family owns the property to the left, but he does not know if this took place. Commissioner Christian asked if this area is even zoned for a parking lot in a residential neighborhood.

CDSP Miller stated the zoning is R-1 which would allow a parking lot or a residential home.

Dan Tatro stated it will be very difficult for his client to continue the operation of the building based on the limited number of parking.

Commissioner Christian asked Mr. Tatro if his client would be willing to share parking with the Church. Mr. Tatro stated there probably is not enough parking for the church which is why his client wants to put in this parking lot and would be willing to create some kind of agreement with the Church for their use as well.

Commissioner Christian stated he does not want the City to create an image of where a business is impacted and could rent space from the church but the City is going to impact the entire neighborhood. Mr. Tatro stated there are a number of cars parking on the grass and he has been given the authority to raise their bid tonight if needed.

Commissioner Christian stated the cars probably belong to the people who live there so they can move them when they choose. Commissioner Christian stated his concern with the proposals if comparing apples to apples as a City Commissioner would pick the higher bid and does not think it is ethical to sit here tonight and debate the bids.

Commissioner Polk questioned how the bid process was completed, were the bids sealed, sent to the Purchasing or Housing Department and how the bids were handled because it seems odd one is for \$12,000 and the other for \$12,250.

Housing & Economic Development Director (HEDD) Ken Thomas stated before the previous City Manager left, he asked staff to contact parties who were adjacent to the property and see if they were willing to purchasing this property. Mr. Tatro approached the Community Development Department as he was interested in a parking lot and the others were contacted by Housing to see if there was any interest in residential development. HEDD Thomas stated the bids were submitted to the Housing Department and were not sealed.

Commissioner Christian asked if these were the only two bids received. HEDD Thomas answered yes.

CA Morrison asked if the bids were submitted at a particular deadline or simultaneously and if either party had an opportunity to see the other parties bid before submitting.

HEDD Thomas stated no, neither party saw the other's bid and once received HEDD Thomas spoke with the previous City Manager and was told to schedule this for the Commission to make a selection.

Commissioner Hurley asked Mr. Tatro when his bid was submitted. Mr. Tatro stated their bid was submitted in contract form on December 6, 2012.

Commissioner Hurley asked if this was opened for other bids after December.

HEDD Thomas stated back in May 2012, the Commission gave the City Manager the authorization to sell this property and staff started pursuing affordable housing developers who might want to buy the property as it was the City's intent at that time to build affordable housing. HEDD Thomas believes there were several other conversations on this property between interested parties with the City Manager besides Mrs. Mack, but the only two submissions received were from Mr. Tatro and Mrs. Mack.

Fredrika Mack stated she submitted the letter once she found out the right way to go about purchasing this property. Mrs. Mack stated her intentions are to use this property and pass it along to her daughters to keep it residential and in the family as the piece she now owns belonged to her grandmother.

Commissioner Polk asked if the City has a policy requiring it to open properties up for bid when it decides to sell the properties and if so how the policy works.

CA Morrison stated years ago the City sold a parcel of property and received strong criticism afterward from people who said they did not get a chance to bid on the property. There is no ordinance, but at the time the Commission adopted a policy where if a piece of City property was to be sold, it would be offered to the public for bids to maximize the price the City could obtain from the property sale.

Commissioner Polk stated the City sold a piece of non usable property about three years ago to Shirley Howard, who came to the City with interest to purchase the property, and the City put it up for sealed bids. Commissioner Polk stated he thought if the City had vacant property, it would go for bids to anyone in the City not just offered to the neighbors. Commissioner Polk stated he is not real happy with the way this went as it seems like the neighbors were given preferential treatment. He understands Mr. Tatro wants it for his client for parking and Mrs. Mack wants it for her family, but the City will not get the best offer if it is not opened to everyone in the City. Commissioner Polk suggested these bids be scratched and go out for bid.

Mayor Knowles asked Mrs. Mack if she were to purchase the property, would she be willing to lease it to Mr. Tatro for parking. Mrs. Mack answered no as the property is about ten feet from her bedroom window.

Dan Robuck stated he spoke with the previous City Manger and told him Dr. Unanue was interested in purchasing this property and was told the City would check to see if the property was needed. Mr. Evans advised there was at least one other person interested and City policy was to open it up for bids or have an auction. Mr. Robuck stated he asked to be notified and Mr. Evans stated he would be, but this did not happen. Strangely, the City received another bid that was only \$250 over the first bid with a letter pulling at your heart strings. Something just does not sound right here when it was not advertised, not put out for sealed bid or auction, and is in violation of City policy. Mr. Robuck stated he thinks the City needs to redo this and either advertise it for the whole world or for sealed bids at a certain time or put it up for a public auction.

ICM Sharp stated obviously there was some disconnected communication between Mr. Evans and himself and stated he is unaware of the policy that CA Morrison described earlier. ICM Sharp stated he does not sell City property very often and suggested the Commission table this item or whatever the pertinent procedure is until he reviews the policy and ensures staff follows the appropriate process.

Commissioner Christian stated he thinks the City has in the past given property to Habitat for Humanity and if the City has a policy, it has not been followed by previous administrations. Commissioner Christian stated he is very concerned because he knows Mrs. Mack has worked with the previous City Manager to acquire this lot for many years and at this point would hate to see this to go out for high bid and have something put on this lot that will be detrimental to those homes which have been there for thirty or forty years.

Mr. Mack stated he has seen several doctors move in and out of the building and the property has changed hands often. Mr. Mack asked what will happen if this gentleman purchases it for a parking lot and then leaves; what happens to the property then.

Commissioner Polk stated if the City wants to give property to the Habitat for Humanity that is one thing, but if taking bids on property it needs to be done in the proper format.

Commissioner Polk made a motion to not accept either bid proposal and to refer this back to counsel for the proper bid process and Commissioner Dennison seconded the motion.

The roll call vote was:

Commissioner Hurley	No
Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	No
Mayor Knowles	Yes

Three yeas, two nays, the Commission denied the resolution as presented.

INFORMATIONAL REPORTS: None

CITY ATTORNEY ITEMS: None

CITY MANAGER ITEMS:

ICM Sharp stated Duke Energy is having trouble getting all the players together to attend the workshop on April 1st to present their findings on the turnpike 470 property and is proposing a change of date to either April 15 (Monday) or April 16 (Tuesday). After some discussion, the Commission agreed to the April 16th date.

ICM Sharp asked the Commission with regard to televising its meetings, would they also like to include the workshops and budget meetings as well. After some discussion, the consensus of the Commission was to go forward with televising all meetings.

ICM Sharp stated there is a vacancy by resignation on the City's Historic Board and he believes CC Richardson will be contacting Commissioners shortly for nominations. CC Richardson stated this was advertised in Sunday's newspaper.

ICM Sharp stated he has been advised by the Department of Economy Opportunity which is a successor to DCA, the City's Comprehensive Plan Amendment has been accepted and they issued the notice to find Leesburg in compliance. ICM Sharp commended Mr. Beliveau and his group and City staff in Community Development as they did a really nice job with this and it went through all as a matter of fact so this is a major update for the City.

ICM Sharp reminded everyone of the Art Festival is this weekend in downtown Leesburg and of the Workshop this Thursday, February 28, starting at 5:30 p.m.

PUBLIC COMMENTS:

Bennett Walling stated he came up with an idea to get the City involved in Bike week as he thinks we have missed opportunities to raise funds to help the City of Leesburg. His brain storm idea is to raffle off some big ticket items during bike week as the chamber and partnership have been doing this. Many vendors take their money out of town and over the years, Leesburg has not seen any real improvements. Mr. Walling is looking forward to maybe creating a means to raise some money with the charitable atmosphere for all the people when they come to Leesburg. Mr. Walling stated with this fund improvements could be made on private property along our main Highway 27 corridor in the blighted areas that have poor landscaping, and buildings or signs in poor shape. This could be done independent of government funds and upgrade the sites so when driving from Clermont to Ocala people are not in a hurry to get out of town and may want to turn down Main Street. Mr. Walling stated he came up with the idea and is looking for someone to handle the public relations or blitz work and the finances as he is not capable of doing this.

Commissioner Polk asked Mr. Walling if his plan was to have some major purchases either personally or corporately and use the money raised for a group to go in and make improvements. Commissioner Polk also asked if this would be done on private property during bike week without the Partnership's guidance of receiving money from any sales.

Mr. Walling stated he was thinking of purchasing a Harley Davidson motorcycle as the starting item and hoped other business people in town to follow suit. He stated he does not know how to do this so is hoping the partnership comes on board with this and takes it over and says this is a great idea and we use 100% of the money raised.

Commissioner Christian suggested Mr. Walling speak with Joe Shipes and Joe has an economic development arm for the partnership and this seems more in line with economic development.

Mr. Walling said he spoke with Mr. Shipes who thinks this is a great idea, but cannot help as his plate is full during bike week.

Commissioner Hurley stated for clarification; Mr. Walling would purchase a motorcycle to display downtown, sell raffle tickets during the bike week event and all the proceeds would go into a 501C3 to be used later to improve Leesburg.

Mr. Walling stated yes with an outside group making the changes or upgrades to what needs improved.

Mayor Knowles stated the City is always looking for heroes to do good projects and he thinks there may be people willing to help with this project so if you do not need the Commission in this, you have our blessing to proceed.

ROLL CALL:

Commissioner Polk – nothing.

Commissioner Dennison – nothing.

Commissioner Christian stated it is great to see great ideas coming from the citizens of Leesburg and he applauded Bennett Walling with the new title of Community Organizer.

Commissioner Hurley – nothing.

Mayor Knowles stated the City is always looking for heroes and thanked Mr. Walling.

ADJOURN:

Commissioner Christian moved to adjourn the meeting and Commission Polk seconded the motion. The meeting adjourned at 7:37 p.m.

Mayor

ATTEST:

Betty M. Richardson
City Clerk

J. Andi Purvis
Recorder